

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FREIGHTQUOTE.COM, INC.,

Plaintiff,

v.

PACIFIC ATLANTIC FREIGHT,

Defendants.

Civil Action No. 1:08-cv-00823

Judge St. Eve
Magistrate Judge Nolan

CONSENT JUDGMENT ORDER

Plaintiff, Freightquote.com, Inc. ("Freightquote.com"), and Defendant, Dennis Gershman, individually and d/b/a Pacific Atlantic Freight ("Gershman"), hereby represent to the Court that they have entered into a Settlement Agreement ("Agreement") and have agreed to a compromise and settlement of this Civil Action and all claims, defenses and counterclaims that were or could have been brought in this Civil Action.

WHEREFORE, with the consent of the parties, through their undersigned attorneys, it is hereby ORDERED, ADJUDGED and DECREED that:

1. This Court has jurisdiction over the parties and subject matter of this action.
2. Freightquote.com provides freight shipping and management services through its Internet web site www.freightquote.com.
3. Gershman provides freight shipping and management services through the Internet web site www.freightshippingcenter.com which can also be reached through a link from the web address www-freight-quotes.com.
4. Gershman expressly acknowledges and agrees, and the Court therefore finds, that Freightquote.com has valid, protectable, and enforceable common law and federal trademark rights

in its "freightquote" and "freightquote.com" trademarks, including United States Trademark Registration Nos. 3,185,852, 3,185,806, and 2,369,546 (the "Freightquote Trademarks").

5. Gershman, and his representatives, agents, successors and assigns, and all persons or entities acting under Gershman's direction or control or in active concert or participation with him, shall permanently and immediately refrain from and cease advertising, promoting, selling, offering for sale, or engaging in any commercial dealings using the accused mark (www-freight-quotes.com) or from otherwise infringing upon the Freightquote Trademarks.

6. Gershman shall transfer to Freightquote.com all registrations, rights, title and interest in the domain name www-freight-quotes.com.

7. This action and all claims, defenses and counterclaims that were or could have been made by the parties relating to Freightquote Trademarks are hereby dismissed with prejudice.

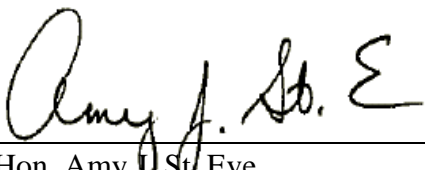
8. Each party shall bear its own costs and attorneys' fees.

9. This Court retains jurisdiction over the parties for the purpose of enforcing the Agreement between them relating to this Civil Action, and any action relating to the enforcement of this Order.

10. This Judgment shall be deemed to have been served upon Gershman at the time of its entry by the Court.

SO ORDERED:

Dated: July 1, 2008



Hon. Amy J. St. Eve
United States District Judge

AGREED:

/s/ Raymond P. Niro, Jr.

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